

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently presented and in light of the following discussion, is respectfully requested.

Claims 1-7 and 25-37 are pending in this application. Claims 6-7 are amended; Claims 8-24 are canceled without prejudice or disclaimer; and Claims 26-37 are newly added by the present amendment. Support for the new and amended claims can be found in the original specification, claims and drawings.<sup>1</sup> No new matter is added.

In the outstanding Office Action, Claims 6-7 are rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter; and Claims 1-7 and 25 are rejected under 35 U.S.C. § 103(a) as unpatentable over Aoki et al. (U.S. Pat. 5,111,299, hereinafter Aoki) in view of Small et al. (U.S. Pat. 5,898,434, hereinafter Small) and Nakagaki et al. (U.S. Pat. 5,852,474, herein Nakagaki).

The Office Action rejects Claims 6-7 under 35 U.S.C. § 101 as directed to non-statutory subject matter.

In response, Claim 6 is amended to recite that the method is “performed by an information processing apparatus” and that various steps in the claim are performed by hardware components (i.e., “recording unit”, “reproducing unit” and “display controlling unit”) of the information processing apparatus. Therefore, Applicants respectfully submit that amended Claim 6 specifically ties the claimed method to a particular machine. Regarding Claim 7, this claim is amended to recite “a memory including a computer program, which when executed by a process of an information processing apparatus, causes the information processing apparatus to perform an information processing method ...” As disclosed in an exemplary embodiment at Fig. 2 and the paragraph bridging pp. 14-15 of the specification, this “memory” may be a read only memory (ROM) or random access memory

---

<sup>1</sup> e.g., specification, at least at Figs. 2 and 16-17, and their corresponding descriptions.

(RAM) that stores a program that is executed by the processor (e.g., CPU 21) of the information processing apparatus. Thus, Claim 7 could not reasonably be interpreted as a “signal per se”, as noted in the outstanding Office Action.

Accordingly, Applicants respectfully request that the rejection of Claims 6-7 under 35 U.S.C. § 101 be withdrawn.

The Office Action rejects Claims 1-7 and 25 under 35 U.S.C. § 103(a) as unpatentable over Aoki in view of Small and Nakagaki. Applicants respectfully traverse this rejection, as independent Claims 1, 6-7 and 25 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1 recites an information processing apparatus, comprising, in part:

display controlling unit configured to provide display control in such a manner as to display a first user interface when said recording unit records said first picture supplied and to display a second user interface when said reproducing unit reproduces said second picture recorded;

wherein said first user interface displays a recording button through which to input orders for operating said recording unit and a playback button through which to input orders for operating said reproducing unit and said second user interface displays a recording button through which to input orders for operating said recording unit and a playback button through which to input orders for operating said reproducing unit, and

wherein said first user interface displays said recording button in a first status ***in which a button accepts a user input*** and said playback button in a second status ***in which a button does not accept a user input*** and ***said second user interface displays said recording button in the second status and said playback button in the first status.***

As disclosed in an exemplary embodiment at Fig. 10, and pp. 33-34 of the specification, when a recording interface is displayed, the recording button 142 is replaced on the display by a recording time change button 151 (e.g. changed to active) and the playback button 144 is shown to be inactive. On the other hand, as described at Fig. 14 and pp. 37-38 of the specification, when the reproduction interface is displayed, the recording button 142 is shown as inactive and the playback button 144 is indicated as active. Thus, when these

buttons are “active” they are in a state in which they can accept a user input, but when they are “inactive” they are not capable of receiving a user input.

Independent Claims 6, 7 and 25, while directed to alternative embodiments, recite similar features. Accordingly, the arguments presented below are applicable to each of independent Claims 1, 6, 7 and 25.

In rejecting Claim 1, p. 6 of the Office Action concedes that the combination of Aoki and Small fails to teach “a button accepts a user input while the other button does not accept a user input.” In an attempt to remedy this deficiency, the Office Action relies on col. 7, ll. 3-27 of Nakagaki.

Generally, Nakagaki describes a television receiver that stores received television programs for subsequent delayed reproduction. More particularly, col. 7, ll. 3-27 of Nakagaki describes a process of controlling the playback of the video by pressing selected buttons on the remote controller 1 shown in Fig. 4. In this regard, p. 6 of the Office Action asserts that the description that “... with the record button 47 kept in the non-active state, when the playback button 50 is depressed ...” teaches “a button accepts a user input while the other button does not accept a user input”.

Applicants respectfully submit that the above noted features of Nakagaki fail to read on the claimed features for which the reference is asserted for a plurality of reasons.

As an initial matter, Nakagaki describes a method of controlling playback of a recorded television program by actuating various buttons on a remote controller 1. This remote controller 1 could not reasonably be construed as an interface that displays each of a recording and playback button in different states, since Nakagaki fails to disclose that the buttons on the remote controller 1 are capable of being displayed differently, whatsoever.

Moreover, Nakagaki fails to disclose that the buttons are ever in a status in which the button does not accept a user input, much less that the buttons are displayed so as to indicate

that they would not accept a user input, as claimed. For example, col. 7, ll. 14-16 of Nakagaki describes a specific example in which the playback button 50 is depressed after the record button 47 is operated. This is in clear contrast to Claim 1, which recites “a first user interface that displays said recording button in a first status in which a button accepts a user input and said playback button in a second status in which a button does not accept a user input and said second user interface displays said recording button in the second status and said playback button in the first status.” In the above noted instance in Nakagaki, the playback button 50 is clearly capable of accepting a user input even after the recording button 47 has been operated initiating a recording operation in the system.

Further, as noted above, Claim 1 specifies controlling the first and second interfaces to display the buttons in either the first status (in which a button accepts a user input) or the second status (in which a button does not accept a user input). As Nakagaki's buttons are buttons on a remote controller 1, these buttons are not capable of being displayed in different states corresponding to their capability to receive a user input. Also, it's unclear how Nakagaki corresponds to each of the first and second user interfaces required by independent Claim 1, since the remote controller 1 is not a display configured to display different user interfaces corresponding to each of a recording and reproduction operation, whatsoever.

Moreover, modifying Aoki and Small to include the features of Nakagaki would merely result in the addition of a remote controller to control the operation of the interfaces described in Aoki and Small, which, as conceded in the Office Action fail to disclose that “a button accepts a user input while the other button does not accept a user input.” More particularly, it is unclear how this addition of a remote controller to the combination of Aoki and Small would result in a change of operation of the interfaces described in these references at all.

Further, Aoki is directed to an LCD display that indicates the operation mode of a camera. Small, on the other hand, is directed to a user input button, which allows a user to control record and playback operations on a computer system. Therefore, it would not have been obvious to one of ordinary skill in the art to combine the computer interface of Small with the LCD display of a camera, as disclosed in Aoki, because one is directed to the mere display of the operational status of a camera via an LCD, while the other is directed to providing a user interface on a computing system.

Therefore, Aoki and Small, even if combined with Nakagaki, fail to teach or suggest a device that includes a “display controlling unit configured to ... display a first user interface when said recording unit records said first picture supplied and to display a second user interface when said reproducing unit reproduces said second picture recorded”, wherein “said first user interface displays said recording button in a first status *in which a button accepts a user input* and said playback button in a second status *in which a button does not accept a user input* and *said second user interface displays said recording button in the second status and said playback button in the first status*” along with the additional details required by independent Claim 1.

Accordingly, at least for the reasons discussed above, Applicants respectfully request that the rejection of Claims 1-7 and 25 under 35 U.S.C. § 103 be withdrawn.

Moreover, new Claims 26-37 are added, which depend from one of independent Claims 1, 6-7 and 25 and are believed to be patentable for at least the reasons discussed above. Moreover, Applicants respectfully submit that the applied references, neither alone, nor in combination, teach or suggest the features recited in these new dependent claims, which are supported by at least Figs. 16-17 and pp. 39-43 of the originally filed disclosure.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-7 and 25-37 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

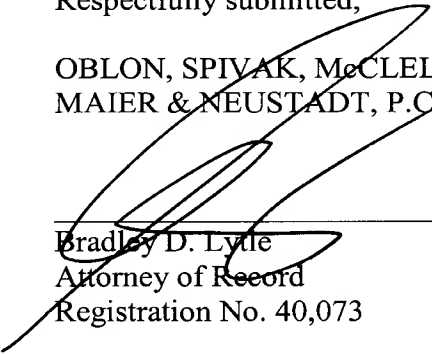
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)  
1654967\_1.DOC



---

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Andrew T. Harry  
Registration No. 56,959